

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Submission Accompanying RCE

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

REQUEST FOR CONTINUED EXAMINATION: The Applicant hereby respectfully requests continued examination of Application Serial Number 10/705,342. In connection with this request, Applicant submits as its Submission under 37 C.F.R. 1.114(c) a Response including argument in response to the Examiner's Office Action dated October 3, 2008. Reconsideration and continued examination in light of this submission is respectfully requested.

EXTENSION REQUEST: Applicant requests and petitions for an extension of three months, and submits herewith the appropriate fee for such extension, which will be submitted by EFSWeb.

RCE CONDITIONS SATISFIED: This RCE and Submission satisfy all requirements:

- a. Prosecution is closed (37 C.F.R. 1.114(a)), because the application is subject to a final Office Action (37 C.F.R. 1.114(b)).
- b. Applicant requests continued examination (37 C.F.R. 1.114(a)), by virtue of the RCE Cover Sheet attached hereto and the above request.
- c. The Fee set forth in 37 C.F.R. 1.17(e) is included herewith by means of a credit card authorization and an authorization to charge deposit account.
- d. This filing is made prior to the abandonment of the application. No issue fee has been paid, and no notice of appeal has been filed.

PROPER SUBMISSION: This Submission is a Response filed by the Applicant to the office action dated October 3, 2008. This Response includes new arguments. The submission is believed to comply with the reply requirements of 37 C.F.R. 1.111 in respect of the outstanding office action. These items satisfy the submission requirement MPEP 706.07(h)(II)(v).

Respectfully submitted,

4-2-09

DATE Signed

Nathan W. Johnson,
Reg. No. 44,173

205-521-8369

App. Ser. No.: 10/705,342
Filing Date: 11/10/03
Inventor: Minges, Marcus C.
Title: Rail Mounted Traversing Transport
RCE / Submission Responsive to Office Action of 10/03/08
Examiner: McCarry, Jr., Robert J.
Art Unit: 3617 Conf. No. 5152

RE: SER. NO. 10/705,342

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Response to Office Action

TO THE DIRECTOR OF PATENTS AND TRADEMARKS:

The above identified applicant respectfully requests the Director enter this submission into the record, in response to the Examiner's Office Action mailed October 3, 2008. Applicant respectfully submits that this paper fully responds to all issues raised in the Office Action. Reconsideration and further examination in light of this submission is respectfully requested. Applicant invites a call to its attorney of record, Nathan Johnson (Reg. No. 44,173) at 205-521-8369 for any issues that may benefit from a call.

Amendments to the Claims - None. The listing of claims begins at page 2.

Remarks begin on page 4 of this paper.